

REMARKS

In response to the Office Action mailed October 2, 2007, Applicants sincerely request reconsideration in view of the above claim amendments and the following remarks. Claims 1-42 are currently pending in the application and stand rejected. In response, claims 1, 17-24, 26, 32-37, and 41 have been amended and claims 5-6, 19, 25, 30-31, 38-40, and 42 have been canceled without prejudice or disclaimer. The claims have been amended to specify computing a final size for the element and computing display positions for a child-element of the element, wherein the display positions comprise a coordinate of a shape representing the element. Support for this amendment may be found on at least paragraph 0079 in the Specification. No new matter is added.

Specification

The Specification is objected to for failing to provide antecedent basis for the claimed subject matter with respect to the term “system” in claims 26-33 and the term “medium” in claims 34-38. Claims 30-31 and 38 have been canceled, rendering the rejection of these claims moot. The remaining claims have been amended to recite a computer system having a memory and a processor for storing and executing program code which is utilized for making ready for presentation a graphical element and to recite a computer storage medium. Support for these amendments may be found at least in paragraphs 0063 and 0064 in the Specification. Based on the foregoing, it is respectfully submitted that the Specification provides proper antecedent basis for the claims. Therefore, the objection to the Specification should be withdrawn.

Claim Rejections - 35 U.S.C. § 101

Claims 17-25 stand rejected under 35 U.S.C. 101 because the claimed invention was directed to non-statutory subject matter. Claims 19 and 25 has been canceled rendering the rejection of this claim moot. Claims 17-18 and 20-24 have been amended to recite a computer storage medium having stored thereon a set of executable procedures in accordance with the Examiner’s suggestion in the Office Action. Thus, it is respectfully requested that the rejection of the aforementioned claims under 35 U.S.C. § 101 be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Claims 1-10, 12-21 and 23-42 stand rejected under 35 U.S.C. 102(b) as being anticipated by Breinberg et al., U.S. Patent No. 5,886,694, (hereinafter *Breinberg*). Claims 5-6, 19, 25, 30-31, 38-30, and 42 have been canceled without prejudice or disclaimer rendering the rejection of these claims moot. The rejection of the remaining claims is respectfully traversed.

Amended Claim 1 recites a method of making ready for presentation a graphical element in a computer application program by communicating with a computer operating system comprising, *inter alia*, executing a second procedure for arranging the element, wherein the second procedure is invoked and executed independently from the first procedure, computes a final size for the element and further computes display positions for a child-element of the element, wherein the display positions comprise a coordinate of a shape representing the element.

Breinberg discusses a mechanism that allows a computer program having a graphical user interface (GUI) to display a window containing controls that are properly positioned and sized within the window. (*See Breinberg* column 4, lines 19-22.) The mechanism of *Breinberg* includes program code that divides a window into rectangular regions, and specifies a logical description of the relative positions of the controls and regions. (*See Breinberg* column 4, lines 22-25.) *Breinberg* also discusses program code that automatically determines the precise coordinates of each control, and positions the controls accordingly during execution of the computer program that is displaying the dialog window. (*See Breinberg* column 4, lines 25-29.)

In contrast with Claim 1, *Breinberg* fails to disclose executing a second procedure which computes display positions for a child-element of the element, wherein the display positions comprise a coordinate of a shape representing the element. While *Breinberg* may mention children, *Breinberg* does not determine a display position for child-element based on a coordinate of a shape representing the element. In contrast, *Breinberg* discusses recursively adjusting the position of a “child frame” but fails to discuss whether the positioning is based on a coordinate of a shape representing the element (i.e., the parent of the child-element). Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 1. Dependent Claims 2-4, and 7-16 are also allowable at least for the reasons described above regarding

independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 2-4 and 7-16.

Amended Claims 17, 26, 34, and 41 recite similar features as those recited in amended claim 1 and thus are allowable over *Breinberg* for at least the same reasons. In addition, amended claim 34 further specifies that the display positions comprise a top-left coordinate of a rectangle representing the element. *Breinberg* fails to disclose a top-left coordinate of a rectangle representing the element as a basis of computing a positioning of a child-element. Therefore, amended claim 34 is also allowable for at least these additional reasons. Accordingly, independent Claims 17, 26, 34, and 41 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of these Claims. Dependent Claims 18, 20-23, 27-29 and 32-33, and 35-37 are also allowable at least for the reasons described above regarding independent Claims 17, 26, 34, and 41, and by virtue of their dependency upon the aforementioned claims. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 18, 20-23, 27-29, 32-33, and 35-37.

Claim Rejections – 35 U.S.C. § 103

Claims 11 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Breinberg* in view of *Lupu* (“*Lupu*”, U.S. Publication 2004/0100480).

Lupu discusses a computer method and system for redirecting messages received from input devices, and may be used for redirecting input messages to applications that have had a window's output redirected. (See *Lupu* paragraph [0020].) *Lupu* discusses that when a redirected application is not aware of a change, a redirection host is responsible for propagating changes in the application's visible appearance on the screen. (See *Lupu* paragraph [0020].)

In contrast with Claim 1, the combination of *Breinberg* and *Lupu* fails to teach or suggest, executing a second procedure which computes display positions for a child-element of the element, wherein the display positions comprise a coordinate of a shape representing the element. Dependent Claims 11 and 22 depend from Claims 1 and 17 and thus are allowable over *Breinberg* at least for the reasons described above regarding independent Claims 1 and 17, and by virtue of their dependency upon independent Claims 1 and 17. *Lupu* is concerned with redirecting messages received from input devices and not the display of child-element positions.

Thus, *Lupu* does not disclose computing display positions for a child-element of an element. In addition, *Lupu* does not disclose computing display positions comprising a coordinate of a shape representing the element. Accordingly, independent Claims 11 and 17 patentably distinguish the present invention over the cited art. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 11 and 17.

CONCLUSION

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

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